

Senate Bill 142
January 19, 2011
Presented by Art Noonan
Senate Natural Resources Committee

Mr. Chairman and committee members, I am Art Noonan, Deputy Director of Montana Department of Fish, Wildlife & Parks (FWP). I am here in opposition to Senate Bill 142.

FWP believes this legislation is similar in intent to legislation passed last session (HB 203), but is clearly more burdensome.

HB142 directs that FWP consult with affected parties and notify the public of the introduction or transplantation of wolves, bears or mountain lions. FWP does not introduce or transplant wolves or mountain lions. FWP does relocate black bears and grizzly bears that come into conflict with people, such as bears that get into garbage, bird feeders, or other unnatural foods. FWP also relocates 1 or 2 grizzly bears/year from the NCDE to the Cabinet-Yaak ecosystem as part of an ongoing augmentation/recovery effort in the Cabinet-Yaak. In 2010, this amounted to 28 grizzly bears and 49 black bears being relocated for all purposes.

Currently under direction of 87-5-725 FWP publishes on the FWP website capture and relocation information for black bears and grizzly bears. The intent of this statute, passed last session as HB 203, was for public safety - to provide the public immediate information about where captured bears are relocated, knowing that the bears are unlikely to remain in that area. Specifically, the Department (a) provides public notice on the FWP website and, when practical, by personal contact in the general area where the animal is released; and (b) notifies the public through print and broadcast media of the availability of release information on the Department's website. Prior permission must be granted from a landowner before any animal may be transplanted onto private property. However, HB142 would change the current requirement of reporting bear capture and translocations to include consultation with land management agencies and land users, notification of the county sheriff, the issuance of a press release per incident, and completion of an annual report to include a map showing all locations for each animal fitted with a radio transmitter.

It should be noted that at least with grizzly bear relocations, FWP already consults with land management agencies prior to relocation of a grizzly bear, and issues a press release per incident. This isn't done with black bears because of the sheer number of incidents to which FWP responds. Consultation with land users is done opportunistically on public lands and routinely on private lands. Notification of the county sheriff would be a relatively easy addition for our conflict specialists and biologists to carry out, but would not necessarily result in a more accurately informed public.

The issuance of a press release per every black bear incident would be burdensome, would quickly confuse the public, would quickly be of no interest to newspapers, and likely not truly increase the knowledge on current bear locations as bears quickly move away from their release

locations. Having the information posted on the web seems like a more practical solution, and is one we are already doing.

A final report showing the *movements* of all bears captured and moved would be burdensome on staff and would be incomplete since many of the bears that are relocated are not radio-collared, especially black bears. Additionally, this requirement would do very little to meet the assumed intent of the bill, which is to notify the public of locations where bears are released. Production of such a map by November 30 would result in incomplete reporting as bear conflict specialists are still in the field addressing bear conflict situations, including capture and translocation. Finally, specific grizzly bear movements, like other wildlife movement information is sensitive and can be used incorrectly, jeopardizing the safety of individual bears or the bear population. Radio transmitter information is also sensitive information that has been used illegally by the public for malicious killings or unfair chase.

For these reasons, FWP opposes this bill as written. FWP supports the intent of the bill – public safety and notification, and thinks the bill can be improved to be more efficient while meeting the intent, with some simple amendments, to include: deleting the requirement to consult with the land management agency for every black bear relocated; deleting the requirement to issue a press release every time a black bear is relocated, deleting the requirement for a press release to include notation of the animal's radio transmitter (we interpret this to mean radio frequency); and changing of the reporting date to EQC to not later than March 31 of the following year. This last point is because our specialists need time after the conflict season to assemble their information and compile a report, as well as burn significant comp time accumulated during the conflict season.